
**Pennsylvania
Beer
Wholesalers
Association**

August 2, 2005

William H. Foster, Chief
Regulations and Procedures Division
Alcohol and Tobacco Tax and Trade Bureau
ATTN: Notice No. 41
P. O. Box 14412
Washington, DC 20044-4412

Dear Sir:

In April, the TTB published Advanced Notice of Proposed Rulemaking, Notice No. 41, seeking public comment on whether additional requirements should be added to current alcohol product labels. With regard to this notice, I write to express the Pennsylvania Beer Wholesalers Associations (PBWA) opposition to any efforts that would include "standard serving" information or an over-simplified listing of the amount of pure alcohol on labels or advertising.

Our primary issue of concern relates to how the amount of alcohol in a product should be communicated. On the question of serving sizes and alcohol content, PBWA supports continuing the longstanding federal policy of using the percent alcohol by volume, or proof, as the only appropriate way to describe alcohol content. However, we strongly oppose any proposals to display alcohol content in terms of fluid ounces of pure alcohol per "standard serving." This misguided attempt would cover up the significant differences in strength, concentration and effect between hard liquor, wine and beer. I should point out that communicating alcohol content in this way would be misleading and potentially dangerous. Such labels would make it more difficult for consumers to accurately assess the alcohol content of various beverages, which would encumber, rather than promote, responsible drinking.

The TTB should also recognize that there is no such thing as a "standard serving" and this too should not be permitted on any alcohol labels or advertising. While "serving size" is fairly common for beer, it varies widely for hard liquor. Hard liquor comes in many strengths and mixtures and hard liquor drinks can vary dramatically in alcohol content based on the brand used, the recipe and the bartender pouring. In fact, a single mixed drink, made according to many liquor company recipes, often contains more

alcohol than the total daily alcohol intake for men and women in the Dietary Guidelines for Americans.

We continue to support the TTB's straightforward regulations requiring display of the percentage of alcohol by volume as the best means of indicating alcohol content on a product label or in advertising. Displaying alcohol content in terms of "fluid ounces" of pure alcohol per "standard serving" is a difficult calculation, which, as previously mentioned, is also misleading, unnecessary and potentially harmful. Again, the Pennsylvania Beer Wholesalers Association respectfully asks that you do not support this misleading effort that will ill serve the public good and cause more public confusion, not less.

Thank you very much for your attention to this matter.

Respectfully,

A handwritten signature in dark ink, appearing to read "D-Wiederhold". The signature is written in a cursive, flowing style.

Jay D. Wiederhold, President
Pennsylvania Beer Wholesalers Association

cc: Stan Tretiak, Coors Brewing Company
Johann D. Lopez, Anheuser Busch
Dwayne Kraft, MBCO
Richard "Dick" Yuengling, Jr., Yuengling